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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	)	Case No. 4:05-cr-00036-RRB
)	
Plaintiff,	)	<u>COUNTS 1-7:</u>
	)	INTERSTATE TRANSPORTATION
	)	OF STOLEN PROPERTY
	)	Vio. of 18 U.S.C. § 2314
vs.)	
	)	<u>COUNTS 8, 9, 24 & 25:</u>
	)	FRAUDULENT USE OF ACCESS
	)	DEVICE
	)	Vio. of 18 U.S.C. §§ 1029(a)(2) and
	)	1029(c)(1)(A)(i)
MITCHELL ELLIS ASHER,)	
	)	<u>COUNTS 10 & 11:</u>
Defendant.	)	MONEY LAUNDERING
	)	Vio. of 18 U.S.C. § 1957
)	
	)	<u>COUNT 12:</u>
	)	TRANSPORTATION OF STOLEN
	)	VEHICLE
	)	Vio. of 18 U.S.C. § 2312
)	
)	

)
) COUNTS 13-23:
) WIRE FRAUD
) Vio. of 18 U.S.C. § 1343
)
) COUNTS 26-43
) MAIL FRAUD
) Vio. of 18 U.S.C. § 1341
)

S U P E R S E D I N G I N F O R M A T I O N

The United States Attorney charges that:

COUNTS 1 - 5

On or about the dates set out below, in the District of Alaska, and elsewhere, defendant MITCHELL ELLIS ASHER, did transmit and cause to be transmitted in interstate commerce between Fairbanks, State of Alaska, and Chicago, State of Illinois, money drawn from the account of Alkan Shelters, LLC, in the following amounts, knowing the same to have been stolen and converted:

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
1	March 21, 2003	\$5,388.82
2	April 1, 2003	\$5,388.82
3	May 6, 2003	\$5,728.56
4	May 23, 2003	\$7,500.00

5	May 29, 2003	\$7,500.00
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All in violation of Title 18, United States Code, § 2314.

COUNTS 6 & 7

On or about the dates set for the below, in the District of Alaska, and elsewhere, defendant MITCHELL ELLIS ASHER, did transmit and cause to be transmitted in interstate commerce between Anchorage, State of Alaska, and Chicago, State of Illinois, money drawn from the account of Olgoonik Development Co., in the following amounts, knowing the same to have been stolen and converted:

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
6	January 12, 2004	\$16,800.00
7	January 28, 2004	\$ 8,400.00

All in violation of Title 18, United States Code, § 2314.

COUNT 8

Between on or about the 5th day of October, and the 19th day of November, 2003, in the District of Alaska and elsewhere, MITCHELL ELLIS ASHER, knowingly and with intent to defraud, did use an unauthorized access device, to wit, a credit card belonging to Alkan Shelters, LLC, and by such conduct, which affected interstate commerce, obtained money or property aggregating approximately \$13,203.94 during a

one-year period, all in violation of Title 18 United States Code, § 1029(a)(2) and § 1029(c)(1)(A)(i).

COUNT 9

Between on or about the 11th day of March, and the 15th day of October, 2003, in the District of Alaska and elsewhere, MITCHELL ELLIS ASHER, knowingly and with intent to defraud, did use an unauthorized access device, to wit, a credit card belonging to Alkan Shelters, LLC, and by such conduct, which affected interstate commerce, obtained money or property aggregating approximately \$5,317.88 during a one-year period, all in violation of Title 18 United States Code, § 1029(a)(2) and § 1029(c)(1)(A)(i).

COUNT 10

On or about the 14th day of January, 2004, in the District of Alaska and elsewhere, MITCHELL ELLIS ASHER did unlawfully and knowingly engage in a monetary transaction in criminally derived property of a value greater than \$10,000, affecting interstate commerce, that is, the payment of \$12,000 from Citibank, Chicago, Illinois, more than \$10,000 of such funds having been derived from a specified unlawful activity, to wit, interstate transportation of stolen property in violation of Title 18, United States Code, § 2314, all in violation of Title 18, United States Code, § 1957.

COUNT 11

On or about the 6th day of February, 2004, in the District of Alaska and elsewhere, MITCHELL ELLIS ASHER did unlawfully and knowingly engage in a monetary transaction in criminally derived property of a value greater than \$10,000, affecting interstate commerce, that is, the payment of \$15,000 from ING Bank, Wilmington, Delaware, more than \$10,000 of such funds having been derived from a specified unlawful activity, to wit, interstate transportation of stolen property in violation of Title 18, United States Code, § 2314, all in violation of Title 18, United States Code, § 1957.

COUNT 12

In or about the month of November, 2003, in the District of Alaska, and elsewhere, defendant MITCHELL ELLIS ASHER, did transport in interstate commerce between Fairbanks, Alaska, and Charleston, South Carolina, a 2003 Kia automobile, the property of Alkan Shelters, LLC, knowing the same to have been stolen, all in violation of Title 18, United States Code, § 2312.

COUNTS 13 - 23

1. From on or about the 18th day of November, 2004, and continuing through on or about the 18th day of August, 2005, in the Middle District of Florida and elsewhere, the defendant, MITCHELL ELLIS ASHER, devised and intended to devise a scheme and

artifice to defraud Indra Systems, Inc., and to obtain property by means of false and fraudulent pretenses and representations, well knowing at the time that the pretenses and representations were false when made, to wit: that a series of wire transfers of funds of Indra Systems, Inc., totaling \$52,560.63, which defendant initiated were furniture lease payments made in the normal course of business of said company, when as the defendant MITCHELL ELLIS ASHER then knew, the said wire transfers were for a purpose neither known nor authorized by said company, that is, to make lease payments for a motor vehicle for the defendant's use.

2. From approximately the 18th day of November, 2004, to the 18th day of August, 2005, the defendant MITCHELL ELLIS ASHER, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, caused to be transmitted by means of wire communication in interstate commerce from the Middle District of Florida to Tucker, Georgia, signals effectuating approximately eleven (11) wire transfers of funds of Indra Systems, Inc., payable to Banc of America Leasing and Capital, LLC, Tucker, Georgia, on the following dates in the following amounts:

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
13	November 18, 2004	\$1,423.03
14	December 17, 2004	\$709.50
15	January 18, 2005	\$709.50
16	February 17, 2005	\$709.50
17	March 17, 2005	\$709.50

18	April 18, 2005	\$709.50
19	May 17, 2005	\$709.50
20	June 17, 2005	\$709.50
21	July 18, 2005	\$709.50
22	August 17, 2005	\$709.50
23	August 18, 2005	\$44,752.10

All in violation of Title 18, United States Code, § 1343.

COUNT 24

Between about the 20th day of June, 2004, and the 6th day of March, 2005, in the Middle District of Florida and elsewhere, MITCHELL ELLIS ASHER, knowingly and with intent to defraud, did use an unauthorized access device, to wit, a credit card belonging to Indra Systems, Inc., and by such conduct, which affected interstate commerce, obtained money or property aggregating approximately \$48,299 during a one-year period, all in violation of Title 18 United States Code, § 1029(a)(2) and §1029(c)(1)(A)(i).

COUNT 25

Between on or about the 24th day of March, and the 15th day of November, 2005, in the Middle District of Florida and elsewhere, MITCHELL ELLIS ASHER, knowingly and with intent to defraud, did use an unauthorized access device, to wit, a

credit card belonging to Indra Systems, Inc., and by such conduct, which affected interstate commerce, obtained money or property aggregating approximately \$73,742 during a one-year period, all in violation of Title 18 United States Code, § 1029(a)(2) and § 1029(c)(1)(A)(i).

COUNTS 26 - 43

1. From on or about the 30th day of July, 2004, and continuing through on or about the 24th day of October, 2005, in the Middle District of Florida and elsewhere, the defendant, MITCHELL ELLIS ASHER, devised and intended to devise a scheme and artifice to defraud his employer Indra Systems, Inc., and to obtain property by means of false and fraudulent pretenses and representations, well knowing at the time that the pretenses and representations were false when made, to wit: that it was necessary for Indra Systems, Inc., to reimburse defendant for credit card payments he would make with his own funds for business expenses he had charged to an Indra Systems, Inc., credit card, when as the defendant MITCHELL ELLIS ASHER then knew, he did not make the credit card payments for the charged business expenses with his own funds but instead issued additional checks drawn on Indra Systems, Inc., and used them to make credit card payments both for the charged business expenses for which Indra Systems also reimbursed defendant, and for additional unauthorized charges which defendant made to said credit card, in the total amount of \$170,252.90.

2. From approximately the 5th day of August, 2004, to the 24th day of October,

2005, on or about the dates set forth below, the defendant MITCHELL ELLIS ASHER, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, caused to be deposited to be delivered by Coastal Courier, Inc., a commercial interstate carrier, from Winter Park, Florida, to Orlando, Florida, approximately eighteen (18) checks drawn on the account of Indra Systems, Inc., made payable to Bank of America, totaling approximately \$171,094.72, in the following amounts:

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
26	August 5, 2004	\$8,000.00
27	August 5, 2004	\$1,681.50
28	Ausust 13, 2004	\$1,044.65
29	Ausust 30, 2004	\$1,480.48
30	September 17, 2004	\$10,000.00
31	September 21, 2004	\$1,207.03
32	September 27, 2004	\$4,126.69
33	November 2, 2004	\$3,239.21
34	November 9, 2004	\$5,000.00
35	December 14, 2004	\$3,214.49
36	March 31, 2005	\$25,000.00
37	May 9, 2005	\$18,192.74
38	June 10, 2005	\$22,775.90
39	July 15, 2005	\$15,300.85

40	August 10, 2005	\$13,281.34
41	September 28, 2005	\$9,912.75
42	October 21, 2005	\$17,744.49
43	October 24, 2005	\$9,892.60

All in violation of Title 18, United States Code, § 1341.

DATED this 2nd day of June, 2006, at Fairbanks, Alaska.

DEBORAH M. SMITH
Acting United States Attorney

s/Stephen Cooper
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CERTIFICATE OF SERVICE

I hereby certify that on June 2nd, 2006,
a copy of the foregoing **SUPERSEDING**
INFORMATION, was served via Electronic Filing, on:

Lance C. Wells

s/Stephen Cooper